

City of New Bedford ZBA APPLICATION

CASE #: 4230

SUBMITTAL CHECKLIST

The following documentation must be submitted, in duplicate (1 Original and 11 Copies):

Have you included...			Planning staff review finds...	
Yes	No		Yes	No
<input type="checkbox"/>	<input type="checkbox"/>	A <u>Completed and Signed Application</u>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	An <u>Existing Conditions Site Plan</u> , drawn to a scale not less than 1 inch: 40 feet, identifying positioning of existing structures must be provided. Your site plan must show footprint and dimensions of rear, front and side distances between structure(s) and boundary lines.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A <u>Proposed Site Plan</u> showing all proposed alterations or additions with side, front and rear set property lines identified.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	A <u>Certified Abutter's List</u> prepared by planning staff and certified by the Assessor's Office.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Plot Plan</u> as provided through Department of Inspectional Services or through the Assessor's Office (in person or online through parcel lookup).	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<u>Filing Fee</u> in check form made payable to the City of New Bedford.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Documentation of the <u>Decision</u> that aggrieves the applicant and is being appealed	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<u>Owner's Verification</u> including owner's signature and parcel deed for all involved parcels.	<input type="checkbox"/>	<input type="checkbox"/>

Please remove the instruction pages when submitting your completed application packet but keep this as your first page.

Official Use Only:

Review of submittal compliance performed by _____ of the city's Division of Planning.

Staff review found the application packet to be complete incomplete on this date: _____

This is page 1 of your ZBA Application.

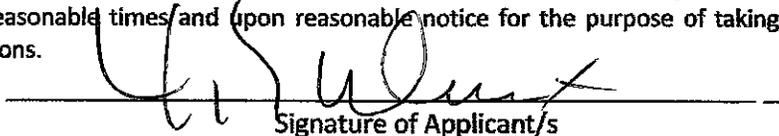
2. FINDING SPECIFICS

The undersigned petitions the New Bedford Zoning Board of Appeals [ZBA] for a FINDING in the manner and for the reasons set forth here under the provisions of the city's zoning ordinance to the following described premises:

APPLICATION SUMMARY (PLEASE PRINT)

SUBJECT PROPERTY			
ASSESSOR'S MAP PLOT#	36-203	LOT(S)#	203
REGISTRY OF DEEDS BOOK #:	2998	PAGE #	284
PROPERTY ADDRESS: 168 GRINNELL STREET, N.B. MA 02740			
ZONING DISTRICT: RB			
OWNER INFORMATION			
NAME: VIRGULINO LIMA DUARTE			
MAILING ADDRESS: 168 GRINNELL STREET, N.B. MA 02740			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT):			
APPLICANT'S RELATIONSHIP TO THE PROPERTY: (Check one)	OWNER <input checked="" type="checkbox"/>	CONTRACT VENDEE <input type="checkbox"/>	OTHER Describe <input type="checkbox"/> _____
MAILING ADDRESS (IF DIFFERENT):			
TELEPHONE #	508 993 9650		
EMAIL ADDRESS:	vic_duarte@yahoo.com		

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give planning division staff and ZBA members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.


5/3/2016

 Signature of Applicant/s Date

If the applicant differs from the owner, this section must be completed/signed by the property owner/s:

I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the finding must be recorded and acted upon within one year.

 Signature of Owner/s Date

APPLICATION SPECIFICS

DIMENSIONS OF LOT/S:	FRONTAGE 65'	DEPTH 46'	AREA in SQ FT 3022		
EXISTING BUILDING/S	# OF BLDGS 1	EXISTING SIZE 24x40	TOTAL SQ FT BY FLOOR 1118	NUMBER OF FLOORS 3	TOTAL SQ. FT ENTIRE STRUCTURE 3354
	# OF DWELLING UNITS 1		# OF BEDROOMS 4		67
PROPOSED BUILDING/S	# OF BLDGS 1	PROPOSED SIZE 17.27x145	TOTAL SQ FT BY FLOOR 224	NUMBER OF FLOORS 3	TOTAL SQ. FT ENTIRE STRUCTURE 672
	# OF DWELLING UNITS addition		# OF BEDROOMS 0		EXTENT OF PROPOSED ALTERATIONS
EXISTING USE OF PREMISES:	Family Residence (SIN OR L2)				
PROPOSED USE OF PREMISES:	Family Residence (SIN OR L2)				
EXPLAIN WHAT MODIFICATIONS YOU ARE PROPOSING THAT NECESSITATE THE REQUESTED FINDING:	<ul style="list-style-type: none"> • Dig a foundation below existing deck; • Raise deck one level; add • extend existing footprint of deck three linear feet eastward to facilitate exit from basement. 				

If there's a commercial use existing and/or proposed, please complete the following:

	EXISTING		PROPOSED	
NUMBER OF CUSTOMERS PER DAY				
NUMBER OF EMPLOYEES				
HOURS OF OPERATION				
DAYS OF OPERATION				
HOURS OF DELIVERIES				
FREQUENCY OF DELIVERIES (Check frequency)	<input type="checkbox"/> DAILY	<input type="checkbox"/> WEEKLY	<input type="checkbox"/> DAILY	<input type="checkbox"/> WEEKLY
	<input type="checkbox"/> MONTHLY	<input type="checkbox"/> OTHER	<input type="checkbox"/> MONTHLY	<input type="checkbox"/> OTHER

If you are also requesting variances, site plan review and/or special permit/s from the planning board, please specify here:

3. PARCEL LEGAL DOCUMENTATION

Title Reference to Property _____
(Attach copy of Deed, Certificate of Title & most recent Recorded Plans showing affected lot or lots)

Is the applicant also the owner? Yes No

If no, please attach the following three items to your application and indicate they are attached:

A notarized authorization letter on letterhead from the owner to tenant/buyer for application of this permit.

If the Applicant is Not the Owner, Provide:

A copy of the Purchase & Sale Agreement or lease, where applicable.

A copy of the deed or deeds of abutting parcels if said parcels have been held in common ownership with the subject property at any time since January 1, 1976.

4. REQUIRED INFORMATION FOR A FINDING

In order for the Board to make a determination the following must be included:

- A** State the section of the Zoning Code under which your finding is requested.
- B** Explain what you propose to do that has caused the need for a finding.
- C** Explain why your proposed work will not be substantially more detrimental than the existing condition.

Because the ZBA must be able to articulate their findings on your appeal, you must describe your case and reasoning for the decision to be overturned. **This is an extremely important part of your application and it is recommended that you answer this VERY carefully.** You may use an additional sheet if needed.

A Identify the provisions of the Zoning Ordinance under which this application for a FINDING is made:
2440 Non Conforming Single and Two family structures

B Explain what you propose to do that causes you to seek a finding:
addition that requires 1) digging a foundation under existing deck raise deck, extend foot print three feet into lawn

C Explain why your proposal won't be substantially more detrimental than the existing condition:
The foundation conforms to existing structure; the footprint of the new addition stays within the line of the existing structure, and There is ample yard space beyond proposed three feet extension.

REQUEST FOR CERTIFIED LIST OF ABUTTERS

2016 MAY -4 A OF 47

Attach the Certified List of Abutters to this Certification Letter and Submit all.

CITY CLERK

The applicant shall complete the request form below, and submit to Planning Department, City Hall, 133 William Street, Room 303, so that a list may be created for use by the applicant.

I, Judith Merdahl, Administrative Assistant to the Board of Assessors of the City of New Bedford, do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Date: 10-29-2015

SUBJECT PROPERTY:

MAP 36 LOT 203

LOCATION 168 GRINNELL ST. NB MA

OWNER'S NAME VIRGULINO L. DUARTE

MAILING ADDRESS 168 GRINNELL ST. NB MA 02740

CONTACT PERSON _____

TELEPHONE NUMBER 508 993 9650

EMAIL ADDRESS vic_duarte@yahoo.com

REASON FOR REQUEST: ZBA

PLANNING

OCT 27 2015

DEPARTMENT

October 27, 2015

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 168 Grinnell Street (36-203). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
36-217	89 WASHINGTON ST	JACKSON ELAINE, 89 WASHINGTON ST NEW BEDFORD, MA 02740
36-384	87 WASHINGTON ST	TEIXEIRA JOSE M, TEIXEIRA MARIA F 87 WASHINGTON ST NEW BEDFORD, MA 02740
36-134	165 GRINNELL ST	LIMA JOSE G, 165 GRINNELL STREET NEW BEDFORD, MA 02740
36-215	6 CRAPO ST	PACHECO JOSEPH L, PACHECO BERNADETTE L 6 CRAPO STREET NEW BEDFORD, MA 02740
36-204	166 GRINNELL ST	VANDAL HERVE W JR, VANDAL MARYANN V 82 REED ST NEW BEDFORD, MA 02740
36-130	173 GRINNELL ST	KJE LLC, 20 VENTURA DRIVE DARTMOUTH, MA 02747
36-131	171 GRINNELL ST	AYALA JOSE P, RIVERA IRENE 171 GRINNELL ST NEW BEDFORD, MA 02740
36-132	169 GRINNELL ST	BARROS HENRY J, 169 GRINNELL ST NEW BEDFORD, MA 02740
36-133	167 GRINNELL ST	KING JOHN F, 167 GRINNELL ST NEW BEDFORD, MA 02740
36-214	4 CRAPO ST	NIEUWENHUIZEN MARIA A, 4 CRAPO STREET NEW BEDFORD, MA 02740
36-372	170 GRINNELL ST	SOARES DESIREE, 170 GRINNELL STREET NEW BEDFORD, MA 02740
36-203	168 GRINNELL ST	DUARTE VIRGULINO LIMA, 168 GRINNELL STREET NEW BEDFORD, MA 02740
36-205	164 GRINNELL ST	DUARTE CIDALIA "TRUSTEE", MEDEIROS IRREVOCABLE TRUST 164 GRINNELL STREET NEW BEDFORD, MA 02740

41-148 41-152 41-157 41-158 41-160

41-169

ALLEN ST



Legend

Abutters 36-203

BONNEY ST

SOUTH SIXTH ST

FOREST ST

SHERMAN ST

GRINNELL ST

GRINNELL ST

WASHINGTON ST

SOUTH ST

FAIR ST

BONNEY ST

HALL ST

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BK2998PG0284

3129

Property Address: 168 Grinnell Street
New Bedford, Massachusetts

I, PAUL J. McCAWLEY, Executor under the Estate of Anna Joanna Lima
otherwise called Anna Lima ~~of the County of Bristol, State of Massachusetts~~

by the power conferred by License issued by Bristol County Probate Court
dated November 30, 1992, Probate Docket No. 92P0455 and every other power
(\$76,700.00) for SEVENTY-SIX THOUSAND SEVEN HUNDRED and 00/100 dollars paid, grant to

VIRGULINO LIMA DUARTE

being married

who resides at 12 Henry Street, Central Falls, Rhode Island
the land in New Bedford, Bristol County, Commonwealth of Massachusetts,
bounded and described as follows:

BEGINNING at the northwest corner of the land herein described
at a point formed by the intersection of the southerly line of
Grinnell Street with the easterly line of Crapo Street;

thence EASTERLY in said line of Grinnell Street, sixty-five
(65) feet to land now or formerly of William Norteman;

thence SOUTHERLY in line of last-named land, forty-six (46)
feet to land now or formerly of Henry B. Macomber;

thence WESTERLY in line of last-named land, sixty-six and
67/100 (66.67) feet to the said easterly line of Crapo Street;
and

thence NORTHERLY in said line of Crapo Street, forty-six (46)
feet to the said southerly line of Grinnell Street and the
point of beginning.

CONTAINING eleven and 23/100 (11.23) square rods, more or less.

FOR TITLE, see Bristol County Probate Docket No. 92P0455 for
the Estate of Anna Joanna Lima otherwise called Anna Lima.

SUBJECT to the 1993 fiscal year real estate taxes which the
grantee(s) assume(s) and agree(s) to pay.

RECEIVED
BRISTOL COUNTY
12/04/93
TAX 1.37
CASH 1.37
12/28/93
EXCISE TAX

RECEIVED
BRISTOL COUNTY
12/04/93
TAX 349.75
CHECK 349.75
07974138-12-33
EXCISE TAX

BK2998PG0285

Witness my hand and seal this 15th day of January 1993

Executed in the presence of

David A. Frennell
Witness

Paul J. McCawley
Paul J. McCawley, Executor

Commonwealth of Massachusetts

Bristol, ss.

New Bedford,

Jan. 15, 1993

Then personally appeared the above named Paul J. McCawley
and acknowledged the foregoing instrument to be his free act and deed,
before me

David A. Frennell

Notary Public

My commission expires 12/9/99 19

BK2998PG0286 COMM. WEALTH OF MASS. HUSSETTS

BRISTOL, ss.

PROBATE COURT

At a Probate Court held at New Bedford in and for said County of Bristol, on the thirtieth day of November in the year of our Lord one thousand nine hundred ninety-two ON the petition of Paul J. McCawley

administrator ~~of the estate~~ executor of the will of Anna Joanna Lina late of New Bedford

in said County, deceased, testate, praying for leave to sell the following described real estate of said deceased ~~at private sale~~ at private sale, for the sum of Seventy-six Thousand Seven Hundred dollars in accordance with the offer named in said petition or for a larger sum, or at public auction, if he shall think best so to do; Certain real estate situated in said New Bedford bounded:

Beginning at a point formed by the intersection of the east line of Crapo Street with the south line of Grinnell Street; thence easterly in said south line of Grinnell Street about sixty-five (65) feet to land now or formerly of William Norteman; thence southerly in said Norteman's line forty-six (46) feet to land now or formerly of Henry B. Macomber; thence westerly in line of said Macomber's land about sixty-six and 67/100 (66.67) feet to said east line of Crapo Street; thence northerly in said east line of Crapo Street, forty-six (46) feet to the point of beginning. Containing 11.23 square rods, more or less.

BK2998PG0287

and the Guardian ad Litem having
All persons interested having assented, ~~been duly notified and no person objecting thereto,~~
It appearing that said offer is an advantageous one and that the interest of all parties concerned will be best promoted by an acceptance of said offer.

It is expedient to sell said real estate of said deceased.

The Commissioner of Corporations and Taxation has released ~~and discharged~~ the lien on said real estate.

IT IS DECREED, that the petitioner be authorized to sell and convey ~~with public auction~~ at private sale in accordance with said offer or for a larger sum, or at public auction, if he shall think best so to do, the real estate of said deceased described in said petition. ~~and it is further decreed that said petition may become the purchase of said real estate.~~

And if, notwithstanding, said petitioner deems it best to sell said real estate at public auction said petitioner is required to give public notice of the time and place of such sale at auction, by publishing a notification thereof once in each week, for three successive weeks, in the Standard Times _____ a newspaper published in said New Bedford and, within one year after such sale return his affidavit of having given notice, with a copy thereof, to the Probate Court.

Quintin Nevil Tolbert Judge of Probate Court

Received & Recorded Feb. 4, 1934 2 hrs. 31 min. P.M.

Attest: *John Edward* Register

A True Copy
Attest:
Robert Elsie
Register

26/42
123

A true copy of instrument as recorded in
Bristol County (S.D.) Registry of Deeds
in Book 2998 Page 284
ATTEST:
my reading
REGISTER